IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 27729 of 2007(A)

PETITIONER:

E.A.BABU,
DEPUTY TRANSPORT COMMISSIONER,
NORTH ZONE, CALICUT,AGED 54 YEARS,
S/O VELU, PONNARATH HOUSE,
THOTTAKKATTUKARA P.O., ALUVA,
ERNAKULAM DISTRICT.

BY ADV. SRI.C.S.MANU
SRI.S.K.PREMRAJ
SRI.ANOOP JOSEPH
SRI.ANOOP.V.NAIR
SRI.ABHILASH AKBAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT OF KERALA,
TRANSPORT DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. TRANSPORT COMMISSIONER,
THIRUVANANTHAPURAM.

3. C.M.SAYED MUHAMMED,
ASSISTANT TRANSPORT COMMISSIONER,
(RTO), HEAD OFFICE, MOTOR VEHICLE DEPT.,
TRANS TOWER, THIRUVANANTHAPURAM.

BY G.P. SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON 15/10/2007 DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C) No.27729 of 2007

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Dated this the 15th day of October, 2007.

JUDGMENT

The petitioner was promoted as a Deputy Transport Commissioner under Ext.1 order dated 30.6.2007. Thereafter by Ext.P2 order he was reverted as a Regional Transport Officer consequent upon the inclusion of his senior in the revised select list published by the Government. The petitioner has challenged Ext.P2.

2. Thereafter the petitioner filed a representation before the Government pointing out that he is due to retire on 31.10.2007 itself and that he may be permitted to continue in service as a Deputy Transport Commissioner till 31.10.2007. According to the petitioner, Government is entitled to consider the said representation by invoking its powers under Rule 39 of Part II of KS&SSR.

3. After having heard the learned counsel for the petitioner and learned Government Pleader, W.P. is disposed of directing the first respondent to look into Ext.P3 and take a decision thereon before 28.10.2007.

V.GIRI
Judge

pms